

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

MELISSA D. DAVIS,
Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

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No. 3:11-cv-109
(Phillips/Guyton)

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton. [Doc. 18.] There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of this matter, the Court is in complete agreement with Magistrate Judge Guyton's conclusion that Plaintiff's Motion for Summary Judgment [Doc. 14] should be denied and the Defendant Commissioner's Motion for Summary Judgment [Doc. 16] should be granted. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the Report and Recommendation, which the Court adopts and incorporates into its ruling, that Plaintiff's Motion for Summary Judgment [Doc. 14] is **DENIED**; the Defendant Commissioner's Motion for Summary Judgment [Doc. 16] is **GRANTED**; the Defendant

Commissioner's decision in this case denying Plaintiff's application for disability insurance benefits under the Social Security Act is **AFFIRMED**; and this case is **DISMISSED**.

IT IS SO ORDERED.

ENTER:

ENTERED AS A JUDGMENT
s/ Debra C. Poplin
CLERK OF COURT

s/ Thomas W. Phillips
United States District Judge